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**PACSIMILE TRANSMITTAL SHEET**

TO:	FROM:
Morgan, Eileen P., Examiner	John A. Fisher, Reg. No. 28,505
COMPANY:	DATE:
USPTO	DECEMBER 2, 2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571 273-8300	4
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
571 272-4488	004.0050
RE:	RECIPIENTS REFERENCE NUMBER:
Response to Election/Restriction Requirement	10/821,758

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

## NOTES/COMMENTS:

**EXAMINING GROUP ART UNIT 3723  
FORMAL COMMUNICATION  
INTENDED FOR ENTRY**

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**TRANSMITTAL  
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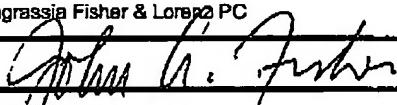
3

Application Number	10/821,758
Filing Date	04/09/2004
First Named Inventor	David T. Marquardt
Art Unit	3723
Examiner Name	Morgen, Eileen P.
Attorney Docket Number	004.0050

**ENCLOSURES (Check all that apply)**

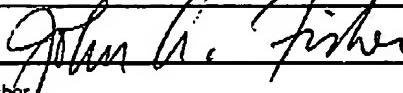
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD. Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Ingrassia Fisher & Lorenz PC		
Signature			
Printed name	John A. Fisher		
Date	December 2, 2005	Reg. No.	28,505

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	John A. Fisher	Date	December 2, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UTILITY PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Marquardt et al. Group Art Unit: 3723  
Serial No.: 10/821,758 Examiner: Morgan, Eileen P.  
Filed: 04/09/2004 Attorney Docket No.: 004.0050  
Confirmation No. 1870

For: CMP APPARATUS AND LOAD CUP MECHANISM

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RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of a Restriction Requirement mailed November 7, 2005 in which two allegedly distinct inventions were identified as follows:

Invention I – claims 1-14 and 24; and

Invention II – claims 15-23 and 25.

In response, Applicants through their representatives and attorneys, hereby elect to prosecute claims 1-14 and 24 without traverse.

Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the undersigned at (480) 385-5060.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge deposit account no. 50-2091 for any fee which may be due.

Respectfully submitted,



John A. Fisher  
Registration No. 28,505

Date: December 2, 2005

Ingrassia Fisher & Lorenz, PC  
Customer No. 29906  
(480) 385-5060